

Deposition Excerpts of Kyle Bengston

1 A. I don't recall.

2 Q. Okay. How is it that you learned about
3 Dr. Bazemore or chose to go see
4 Dr. Bazemore?

5 A. I just noticed him when I was in Wal-Mart.

6 Q. Okay. You saw his eye clinic there in
7 Wal-Mart?

8 A. That's correct.

9 Q. And why is it that you decided to go see
10 Dr. Bazemore?

11 A. Just noticed my vision was getting less.

12 Q. Okay. Vision getting less. What do you
13 mean by that?

14 A. It just wasn't as good as it used to be.

15 Q. Okay. Are you talking about both eyes or
16 one eye in particular or... just not as
17 good overall?

18 A. Yeah. Just not as good overall.

19 Q. Had anybody referred you to Dr. Bazemore or
20 you just saw his office when you were in
21 Wal-Mart and decided to go see him?

22 A. Just saw it when I was in Wal-Mart and
23 decided to go see him.

1 Q. Okay. And do you remember the first time
2 you went to see Dr. Bazemore what your
3 complaints were to him on that day?

4 A. I don't recall.

5 Q. Okay. Do you remember the first time you
6 went to see Dr. Bazemore, were you
7 complaining of blurred vision or seeing
8 halos or --

9 Well, let me just ask you one at a
10 time. Do you recall whether you were
11 complaining of having blurred vision at
12 that time?

13 A. I don't recall. That was seven years ago.
14 I don't remember what was spoken about. I
15 would have to look.

16 Q. Do you recall whether or not you complained
17 of halos around lights at night?

18 A. Yes. I mean, I remember making those
19 complaints at some time. I can't tell you
20 if it was the first visit or the last
21 visit, but I did state those --

22 Q. Well, you made those complaints at some
23 time, but you don't remember whether you

1 complained at that first visit about that?

2 A. I don't remember which visit it was, but I
3 do remember making those complaints, yes,
4 sir.

5 Q. Okay. And do you recall when you first
6 started complaining about headaches?

7 Well, let me ask you this way. Do you
8 remember when you first went to see
9 Dr. Bazemore, was one of your complaints
10 headaches?

11 A. I don't recall which visit that would have
12 been.

13 Q. Okay. Prior to going to see Dr. Bazemore
14 for the first time, had you ever been to
15 see an optometrist before?

16 A. I don't believe so.

17 Q. You didn't wear glasses at that time?

18 A. No, sir.

19 Q. Had you ever been to see an ophthalmologist
20 before?

21 A. I don't believe so.

22 Q. Prior to going to see Dr. Bazemore for the
23 first time, had you ever had any problems

1 with your eyes whatsoever?

2 A. None that I can recall, no, sir.

3 Q. Okay. Do you remember what Dr. Bazemore's
4 treatment was for you on that first visit?

5 A. I don't recall the exact first visit. I
6 think he prescribed me glasses.

7 Q. Okay. And did the glasses he prescribed
8 for you correct your vision problems?

9 A. I believe so.

10 Q. Okay. Did you get your prescription filled
11 there, the prescription for your glasses?
12 Did you get those filled there at Wal-Mart?

13 A. I believe so, yes.

14 Q. Okay. And were you satisfied with the
15 treatment that Dr. Bazemore gave you on
16 that first --

17 Well, as a result of your first visit,
18 were you satisfied with the treatment that
19 Dr. Bazemore gave you?

20 MR. ADAMS: Object to the form.

21 A. Can you rephrase that?

22 Q. Yes. You told me that you went to see
23 Dr. Bazemore because your vision became